

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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HELEN JANE ROMERO, et al.,

Plaintiffs,

v.

STATE OF NEVADA, etc., et al.,

Defendants.

2:08-cv-00808-GMN-LRL

O R D E R

This case comes before the court on plaintiffs' Motion for an Order Granting a Stay in the Proceedings (#105). The court has considered the motion, defendants' Opposition (#108), and plaintiffs' Reply (#113).

An old saying has it that "justice delayed is justice denied." In this case justice hurried may be justice denied.

In a federal criminal case -- United States v. Ronald "Joey" Sellers, 2:07-cr-0145-KJD-PAL -- Mr. Sellers is charged with, among other things, the murder of Anthony Gilbert Beltran as part of the alleged racketeering activities of a prison gang known as the Aryan Warriors. Douglas Potter has been convicted in state court of physically committing the murder. Mr. Potter has been interviewed by the FBI concerning the circumstances surrounding the murder and, presumably, how he happened to be Mr. Beltran's cell mate. The federal authorities will not release the contents of Mr. Potter's interview, or any other information about the murder, until the Sellers case has been tried. Trial is set to begin on November 14, 2011. It therefore appears that highly relevant questions about the murder of Mr. Beltran, including the role, if any, of the defendants in this case, cannot be answered until the federal trial of Mr. Sellers has taken place. Fundamental fairness requires that plaintiffs have an opportunity to acquire the

1 information they seek.

2 Accordingly, and for good cause shown,

3 IT IS ORDERED that plaintiffs' Motion for an Order Granting a Stay in the Proceedings (#105)
4 is granted.

5 IT IS FURTHER ORDERED that the parties shall, not later than December 5, 2011, file a status
6 report regarding the progress of the Sellers trial.

7 DATED this 6th day of September, 2011.

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LAWRENCE R. LEAVITT
UNITED STATES MAGISTRATE JUDGE